federal register

THURSDAY, MAY 18, 1978
PART III

OFFICE OF MANAGEMENT AND BUDGET

■

BUDGET RESCISSIONS AND DEFERRALS

[3111-01]

OFFICE OF MANAGEMENT AND BUDGET

BUDGET RECISSIONS AND DEFERRALS

to the congress of the united states:

In accordance with the Impoundment Control Act of 1974, I herewith report one proposal to rescind $30.0 million in budget authority previously provided by the Congress. In addition, I am reporting four new diferrals of budget authority totalling $55.1 million and two revisions to previously transmitted deferrals increasing the amount deferred by $0.7 million in budget authority.

The rescission proposal affects the Department of Agriculture's drought and flood assistance program. The new deferrals and revisions to existing deferrals involve programs in the Departments of Commerce, Energy, and the Interior, the Corps of Engineers, and the International Communication Agency.

The details of the rescission proposal and the deferrals are contained in the attached reports.

JIMMY CARTER.

THE WHITE HOUSE,
May 12, 1978.

CONTENTS OF SPECIAL MESSAGE
(in thousands of dollars)

Rescission No.	Item	Budget Authority
	Department of Agriculture:	
	Agricultural Stabilization and Conservation Service	
R78-5	Agricultural conservation program (Drought and flood assistance)	30,000
Deferral No.		
	Department of Commerce:	
	Economic Development Administration	
D78-6A	Financial and technical assistance	4,600
	Department of Defense - Civil:	
	Corps of Engineers	
D78-60	Alaska hydroelectric power development fund	5,450
	Department of Energy:	
	Atomic energy defense activities	
D78-61	(Full Fuzing Option Bomb Production Facilities)	23,497
D78-62	Energy	12,300
	Department of the Interior:	
	Bureau of Reclamation	
D78-63	Construction and rehabilitation	17,700
	Other Independent Agencies:	
	International Communication Agency	
D78-41B	Salaries and expenses (special foreign currency program)	1,653
	Subtotal, deferrals	65,200
	Total, rescission proposals and deferrals	95,200

SUMMARY OF SPECIAL MESSAGES
FOR FY 1978
(in thousands of dollars)

	Rescissions	Deferrals
Eighth special message:		
New items	30,000	55,147 1/
Changes to amounts previously transmitted	—	700
Effect of eighth special message	30,000	55,847
Previous special messages	57,923	4,902,557
Total amount proposed in special messages	87,923 (in 5 rescissions)	4,958,404 2/ (in 63 deferrals)

1/ This amount is net of $3.8 million included in a new Department of Energy deferral (D78-62) being transmitted in this message. These funds have already been reported as deferred in two DOE deferrals (D78-31A and D78-36A) that are being incorporated into D78-62.

2/ This amount represents budget authority except for $9,573,000 consisting of three Department of the Treasury deferrals of outlays only (D78-50, D78-58, D78-28B).

Rescission Proposal No: R78-5

PROPOSED RESCISSION OF BUDGET AUTHORITY

Report Pursuant to Section 1012 of P.L. 93-344

Agency: Department of Agriculture Bureau: Agricultural Stabilization and Conservation Service	New budget authority (P.L. 95-24 ___) $ 36,600,000 Other budgetary resources --- Total budgetary resources 36,600,000
Appropriation title & symbol Agricultural Conservation Program (Drought and Flood Assistance) 1283315	Amount proposed for rescission $ 30,000,000
OMB identification code: 12-3315-0-1-302	Legal authority (in addition to sec. 1012): [x] Antideficiency Act [ ] Other ___
Grant program [x] Yes [ ] No	
Type of account or fund: [x] Annual [ ] Multiple-year ___ (expiration date) [ ] No-year	Type of budget authority: [x] Appropriation [ ] Contract authority [ ] Other ___

Justification:

The Supplemental Appropriations Act, 1978 (P.L. 95-240) contained $36.6 million for drought and flood assistance in the Agriculture Department's Agricultural conservation program. These funds were to be utilized for payments to farmers for two purposes: drought assistance and water conservation practices. Since September 30, 1977, the effects on farmland of the 1977 drought have been mitigated by abundant rainfall in most of the areas that suffered from this drought. Therefore, $30 million of this appropriation are not needed for the purpose for which they were provided, and a rescission is proposed.

The remaining $6.6 million will be used for payments to farmers for costs of water conserving practices carried out during the period of January 20 through September 30, 1977. This is in accordance with the intent of the Congress that help be given to those farmers who carried out such practices after the January 1977 Presidential disaster declaration, but before the Congress initially made funds available for drought and flood assistance.

Estimated Effects:

There is no programmatic effect of this rescission proposal. Drought conditions do not exist where the funds were anticipated to be needed, and the FY 1978 program authorized by law can be accomplished without these funds.

Outlay Effect:

There is no outlay effect of this rescission because the funds could not be used if made available.

R78-5

DEPARTMENT OF AGRICULTURE

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

Agricultural Conservation Program

Of the funds appropriated under this head in the Supplemental Appropriations Act, 1978, $30,000,000 are rescinded.

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344.

This report revises Deferral No. D78-6, transmitted to the Congress on October 3, 1977, and printed as House Document No. 95-235.

This deferral for the Financial and technical assistance fund in the Economic Development Administration of the Department of Commerce increases the previously reported deferral from $3,900,000 to $4,599,543. This increase of $699,543 results from a decrease of $1,000,000 in planned obligations for FY 1978, partially offset by a decrease of $300,457 in unobligated balances carried forward from FY 1977.

Deferral No: D78-6A

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Commerce	New budget authority (P.L. _____) $ _____
Bureau: Economic Development Administration	Other budgetary resources 5,599,543*
Appropriation title & symbol: Financial and Technical Assistance 13x1210	Total budgetary resources 5,599,543*
	Amount to be deferred: Part of year $ _____
	Entire year 4,599,543*
OMB identification code: 13-1210-0-1-403	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other _____
Type of account or fund: ☐ Annual ☐ Multiple-year _____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification: *

These funds were appropriated under the Trade Expansion Act of 1962 which has been superseded by the Trade Act of 1974. The remaining balance in this account is being used only for the care and preservation of collateral and the honoring of guarantees made in prior years.

The amount of $4,599,543 proposed for deferral will provide for continued care and protection of collateral in future years and provide a contingency for protection of the government's investment through the purchase of senior liens. These amounts could not be used effectively if made available for obligation.

Estimated Effects: *

The effect of deferring $4,599,543 until the end of FY 1978 will be to insure that adequate funds are available in the future to cover costs of protecting collateral and to honor guarantees made under the Trade Expansion Act of 1962.

Outlay Effect:

There is no outlay effect of this deferral.

* Revised from previous report.

Deferral No: D78-60

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Defense - Civil	New budget authority (P.L. 95-240) $ 5,450,000
Bureau: Corps of Engineers	Other budgetary resources ---
Appropriation title & symbol: Alaska Hydroelectric Power Development Fund 96X4203	Total budgetary resources 5,450,000
	Amount to be deferred: Part of year $ _____
	Entire year 5,450,000
OMB identification code: 96-4203-0-3-271	Legal authority (in addition to sec. 1013): ☒ Antideficiency Act
Grant program ☐ Yes ☒ No	☐ Other _____
Type of account or fund: ☐ Annual ☐ Multiple-year _____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other _____

Justification:

These funds were appropriated to remain available until expended in the Supplemental Appropriations Act, 1978, (P.L. 95-240) for use by the Alaska Hydroelectric Power Development fund. This fund was established by the Alaska Hydroelectric Power Development Act (Section 203 of P.L. 95-587) to further the expeditious development of hydroelectric power generating facilities in Alaska.

The Act permits the use of funds for the Phase I stage of engineering and design of projects that meet the environmental, production, and financial requirements set forth in Section 203(a)(2) and (e) of the Act. The Corps of Engineers is currently studying a project for the Susitna River, Alaska, to determine if it meets these requirements. This review is expected to be completed in FY 1979. The funds are, therefore, deferred for the entire year.

This deferral action is being taken in accordance with the Antideficiency Act (31 U.S.C. 665).

Estimated Effects:

This deferral will have no programmatic or budgetary effect since the funds could not be used if made available.

Outlay Effects:

There is no outlay effect resulting from this deferral action since the funds could not be used if made available.

Deferral No: D78-61

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 95-96): $2,512,396,000
Bureau	Other budgetary resources: 554,871,000
Appropriation title & symbol: Atomic energy defense activities 89X0201 (Full Fuzing Option Bomb Production Facilities, various locations, Project No.78-16-b)	Total budgetary resources: 3,067,267,000
	Amount to be deferred: Part of year: $ ____ Entire year: 23,497,322
OMB identification code: 89-0201-0-1-053	/Legal authority (in addition to sec. 1013): ☐ Antideficiency Act ☐ Other ____
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification:

It has been determined that a modernized B-43 bomb, together with other weapons in the stockpile, may be able to fulfill requirements previously identified for the B-77 bomb, but at significantly lower costs. As a result, it may not be necessary to modify current weapon production facilities for the B-77 bomb. Therefore, the funds associated with B-77 bomb production facilities modification are being deferred. In addition, it has been requested that in FY 1979 funding be redirected to B-43 bomb production and to other purposes. The amount deferred, totalling $23.5 million, will be applied to reduce the appropriation request for these activities in FY 1979.

Estimated Effects:

The facility requirements for the modernization of the B-43 will primarily be provided for in the FY 1979 Budget. The funds related to this deferral will be applied to reduce the appropriation request for the Atomic energy defense activities requirements in FY 1979.

Outlay Effect: (estimated in millions of dollars)

Comparison with President's FY 1979 Budget:

1. Budget outlay estimate for FY 1978	$2,307.8
2. Outlay savings, if any, included in the budget outlay estimate	0

Current Outlay Estimates for FY 1978:

3. Without deferral	2,306.5
4. With deferral	2,301.8
5. Current outlay savings (line 3 - line 4)	4.7
Outlay savings for FY 1979	-4.7

Deferral No: D78-62

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of Energy	New budget authority (P.L. 95-96;95-74): $4,223,328,000
Bureau	Other budgetary resources: 1,907,309,030
Appropriation title & symbol: Energy 89X0203	Total budgetary resources: 6,130,637,030
	Amount to be deferred: Part of year: $ ____ Entire year: 12,300,000 1/
OMB identification code: 89-0203-0-1-270	/Legal authority (in addition to sec. 1013): ☒ Antideficiency Act ☐ Other ____
Grant program: ☐ Yes ☒ No	
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification:

The Department of Energy's energy appropriation is used for a wide variety of energy research and development activities. The amount deferred is made up of unobligated balances brought forward into FY 1978. These balances are not needed for obligation in FY 1978 and are, therefore, deferred for the entire year. These funds will be used in FY 1979 to offset funding requirements for the Department's nuclear research and development programs.

This deferral action is being taken in accordance with the Antideficiency Act (31 USC 665).

Estimated Effects:

There are no programmatic or budgetary effects of the deferral because the funds represent obligational authority in excess of that needed to conduct the FY 1978 programs.

Outlay Effects:

There is no outlay effect from this deferral.

1/ This amount includes funds previously reported as deferred under two Department of Energy deferrals--$2.3 million for the Plenum fill experiment deferral, D78-31A, and $1.5 million for the Molten salt breeder reactor deferral, D78-36A.

Deferral No: D78-63

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency: Department of the Interior	New budget authority (P.L. 95-96) $ 353,950,000
Bureau: Bureau of Reclamation	Other budgetary resources 223,255,533
Appropriation title & symbol: Construction & Rehabilitation 14X5061	Total budgetary resources 577,205,533
	Amount to be deferred: Part of year $ ____
	Entire year 17,700,000
OMB identification code: 14-5061-0-2-301	Legal authority (in addition to sec. 1013): ☐ Antideficiency Act
Grant program ☐ Yes ☒ No	☒ Other Civil Action No. 76-0943
Type of account or fund: ☐ Annual ☐ Multiple-year ____ (expiration date) ☒ No-year	Type of budget authority: ☒ Appropriation ☐ Contract authority ☐ Other ____

Justification:

The amount deferred was provided in an appropriation of $18.8 million, to remain available until expended, in the Department of the Interior and Related Agencies Appropriations Act, 1978. These funds are intended for continued construction of facilities at the Garrison Diversion Unit project in North Dakota. Funds are being deferred pending the completion and evaluation of project studies which have been necessitated for the reasons outlined below.

The Department of State has repeatedly and formally assured the Canadian Government that construction of the project features which may be in violation of the Boundary Waters Treaty of 1909 would not begin until after a report on the project by the International Joint Commission (IJC) was received by the two Governments and subsequent consultations were held. The IJC report was completed in September 1977 and consultations are being arranged, but have not taken place.

In May 1977, the U.S. District Court, Washington, D.C. in Civil Action No.76-0943 ordered activity at the project to cease pending the completion of a supplementary environmental impact statement and reconsideration of the project by the Congress. The Bureau of Reclamation is in the process of complying with these legal requirements. This deferral, totalling $17.7 million, is being reported to notify the Congress that pending the evaluation of the EIS, the IJC report, and potential modification studies of the project pursuant to the Court stipulation and order, project activity has been curtailed. The deferral will remain in effect until these legal and environmental problems associated with the Garrison Diversion Unit are resolved.

Estimated Effect:

This action will delay construction on various portions of the Garrison Diversion Unit, including the Lonetree Dam, the Oakes Pumping Plant, and the West Side Irrigation Facilities, pending resolution of the legal and environmental problems discussed above. Project activity is presently anticipated to resume during FY 1979.

Outlay Effect (estimated in millions of dollars)

Comparison with President's FY 1979 Budget:

1. Budget outlay estimate for FY 1978	384.1
2. Outlay savings, if any, included in the budget outlay estimate	0

Current Outlay Estimates for FY 1978:

3. Without deferral	357.7
4. With deferral	340.0
5. Current outlay savings (line 3 - line 4)	17.7

Outlay savings estimated for FY 1979 ..... -17.7

SUPPLEMENTARY REPORT

Report Pursuant to Section 1014(c) of Public Law 93-344

This report updates Deferral No. D78-41A transmitted to the Congress on January 27, 1978, and printed as House Document No.95-285.

This supplementary report contains the revisions necessary to change this deferral for the Salaries and expenses (special foreign currency program) from the United States Information Agency to the International Communication Agency. These revisions include changes to the appropriation symbol and the identification code for the account.

Deferral No: D78-41B

DEFERRAL OF BUDGET AUTHORITY

Report Pursuant to Section 1013 of P.L. 93-344

Agency International Communication Agency *	New budget authority (P.L. 95-86) $ 7,057,000
Bureau	Other budgetary resources 3,842,000
Appropriation title & symbol Salaries and Expenses (Special Foreign Currency Program) 1/ 67X0205 *	Total budgetary resources 10,899,000
	Amount to be deferred: Part of year $ ____ Entire year 1,653,000
OMB identification code: 67-0205-0-1-154 *	Legal authority (in addition to sec. 1013): [X] Antideficiency Act [ ] Other ____
Grant program [ ] Yes [X] No	
Type of account or fund: [ ] Annual [ ] Multiple-year ____ (expiration date) [X] No-year	Type of budget authority: [X] Appropriation [ ] Contract authority [ ] Other ____

Justification: *

Reorganization Plan No.2 of 1977, implemented by Executive Order No.12048 of March 27, 1978, transferred the functions of the United States Information Agency to the International Communication Agency (ICA). These functions, authorized by the United States Information and Educational Exchange Act of 1948, as amended (22 U.S.C. 1431 et seq.), Reorganization Plan No.8 of 1953, the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.), and Executive Order No.11034 of June 25, 1962, as amended, involve the dissemination of information abroad about the United States, its people, and its policies.

The Foreign Relations Authorization Act, Fiscal Year 1978 (Public Law 95-105, approved August 17, 1977) authorized to be appropriated for fiscal year 1978, $269,286,000 for "Salaries and expenses" and "Salaries and expenses (special foreign currency program)" accounts. The Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriation Act, 1978, (Public Law 95-86, approved August 2, 1977) appropriated $7,057,000, to remain available until expended, for the "Salaries and expenses (special foreign currency program)" account. The account is used for payment of ICA local program expenses in U.S.-owned foreign currencies in those countries where the

1/ This account was the subject of a similar deferral during FY 1977.
* Revised from previous report.

Department of the Treasury determines that the supply of local currency is in excess of the normal requirements of the U.S. Government. In fiscal year 1978, the "excess currency" countries are: Burma, Guinea, India, Pakistan, and Egypt. It was estimated in the 1978 Budget that additional budgetary resources of $2,698,000 would be available for 1978 from prior year unobligated balances brought forward, recovery of prior year obligations, and anticipated reimbursements from other agencies. Thus, total obligations of $9,755,000 were planned for 1978 in the 1978 Budget.

It is now estimated that the 1978 beginning-of-year unobligated balance for this account plus anticipated recoveries and reimbursements from other agencies, will amount to $3,842,000, or $1,144,000 more than the sum estimated in the 1978 Budget. The additional unobligated balances were realized primarily from program reductions in India and added recovery of prior year obligations. Other resource adjustments will further reduce requirements in 1978 by $509,000 resulting in a total program of $9,246,000. Since total availabilities of $10,899,000 in this account for 1978 exceed program requirements by $1,653,000, that amount has been deferred for the entire year. These funds will be available for use in 1979, reducing the need for new appropriations in 1979 accordingly.

This deferral action is taken in accordance with the Antideficiency Act (31 U.S.C. 665).

Estimated Effects:

None. The amount deferred could not be obligated before fiscal year 1979.

Outlay Effect:

There is no outlay effect of this deferral, because the funds would not be obligated if made available.

[FR Doc. 78-13556 filed 5-17-78; 8:45 am]

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